

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Nina Taylor, John Wilson, III, et al.
Plaintiffs,

v.

Turner Industries Group, LLC and Turner
Industries, LLC,

Defendants.

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Case: 2:11-cv-00057

JOINT AND AGREED MOTION TO DISMISS WITH PREJUDICE

Plaintiffs Nina Taylor, John Wilson, III, Kenneth Ray Beard, Todd Bills, Michael Bolton, Oren Brew, Ja'Keistan Cash, Henry Celestine, Darrias Clement, Corey Cooper, Robert Crown, Michael Daniels, Steven Dawson, Carl Eddington, Virgil Ethridge, Joseph Finch, Kerry Garvin, Junior Hall, Richard Hearn, Billy Hill, Tony Holt, Terrence James, Cornelius Jeffrey, Corwin Jeffrey, Alfred Jones, Eric Jones, Roy Jones, Jr., Ana Lucas Ortega, Don Marks, Scott Matthews, Corey McCuin, Johnny McNeil, Szcwealion Milton, Marcus Mitchell, Joseph Porter, Cedric Pruitt, Sammy Ricks, Jr., Earl Robinson, Johnny Robinson, Charles Sampson, Shantele Thomas, Brandon Wallace, Deondra Wallace, Jerry Whitworth, Tonette Wiles, and Michael Woods (collectively, "Plaintiffs") and Defendants Turner Industries Group, LLC and Turner Industries, LLC, (collectively, "Defendants") file this Joint and Agreed Motion to Dismiss with Prejudice and move the Court for a dismissal of all causes of action raised or which could have been raised in this case, with prejudice against the Plaintiffs to re-file the same. All costs of court and/or attorneys' fees incurred by the parties will be paid by the parties incurring them.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs and Defendants respectfully request that all causes of action raised or which could have been raised in the above entitled and

numbered case be dismissed with prejudice and that each party will be held responsible for the costs of court and attorneys' fees that they each incurred.

Dated August 28, 2013.

Respectfully submitted,

/s/Jay D. Ellwanger

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August, 2013, the foregoing was filed electronically with the Clerk of the Court using the Court's electronic filing system, which will send notification of such filing to all registered counsel of record, including:

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